



# **Hector De La Torre**

## **News Release**

*Assembly Member 50<sup>th</sup> District*

**For Immediate Release**

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### **De La Torre Legislation to Eliminate Discriminatory Language in Property Titles Passes Judiciary Committee**

**Sacramento, Calif.** -- The Assembly Judiciary Committee passed Assembly Bill 2204 authored by Assemblymember Hector De La Torre (D - South Gate), which will address one of the most disgraceful discriminatory practices in California's history. Assembly Bill 2204 will require discriminatory language to be stricken from any deed or other written instrument related to the title of real property.

"In this day and age, it is unbelievable that such offensive language is allowed to remain in housing documents," said De La Torre. "Although the language is often hidden away, there is no justifiable reason to simply ignore these blemishes as if they do not exist. We need to get rid of this antiquated system."

Currently, restrictive covenants are legally binding provisions imposed by a seller upon a buyer of real property. While some covenants are benign and only intend to preserve some aspect of a property or the property's surrounding environment, others have been used maliciously. In fact, restrictive covenants restricted the sale of property to members of specific ethnic, religious or other groups.

Under current law, homeowners may request that the language be stricken. However, few Californians are aware of this option. In fact, in Sacramento County, little more than a dozen owners have taken advantage of current law.

Assembly Bill 2204 will prompt the state to take a systematic approach to removing this unnecessary language instead of relying upon complaints being made after the review of a deed by a new owner. This language must be removed from all copies of documents once transferred to the new owner of the property.

#### **Background:**

Prior to the *Shelley v. Kraemer* (1948) United States Supreme Court ruling that deemed discriminatory restrictive covenants unenforceable, these provisions were used for segregationist purposes. Although they are now void, these covenants remain in living deed instruments and other documents serving as painful reminders of past practices that we cannot soon enough forget.

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